App. F. IX-4

1931.
(Mezgrai)

File No. 345 31

Serial Nos. 1-4

Previous References

79 77-1-4
181 -1a-1-4

Later References

Revy 204-42-1-6.

General and Revenue Secretariat.

Serial Nos. 4.

Part B for March 33

SUBJECT.

Peal re joint Hak to the archakship of Sri Ghannakesava Swami temple Belur.

---

to the Mez Comr
No 1380 dy 23-3 33.

Dismiss the appeal as there are no reasons to interfere with the Mez Comr order

31-32 re: Joint hak to the archakship of Sri Channakesava Swamie temple - Belur.

General and Revenue Secretariat | Muz File No. 345 of 1931-2 | [App. F. III—2

Serial No.

1 Petition of 16/5/32 filed Mr Belur Srinivasa Iyengar on behalf of the appellant, Muthubhatta alias Narasimha Iyengar appealing against the orders of the Muzrai Commissioner in Muz appl No 14 of 31-31 on the file of his Court re: the joint hak to the archakship of Sri Channakeshava Swamie temple at Belur.

The appeal petn is sufficiently stamped & is in time.

2 For orders if the appeal may be admitted & records called &

G.S. [illegible]

8925/8/6

Fin Secy)

This may be done.

7/6/32

(1st number)

15/6/32

[illegible] 17/6

20/6/32

2 No 1918 of 23-6-32 to the Muzrai Commissioner calling for records —

Note—Contn Sheet.

Sub 24/6

WD 70—GBPM—60 000—13-8 31

2)

Muz File No 345 of 1931. General and Re Secretariat

Letter no 1606/31-32 dy 19.8.32 from the Muzrai Commissioner submitting records connected with the appeal of Muttabhatta regarding his claim to a joint hall in the archaleship of Sri Channakeshavaswami Temple at Belur.

As from conduct of Keshava Bhatta, one of the archaks of the temple vide the reports of the local officers of 27/6/30 & 13.5.30 Muttabhatta in present appeal appears to be the brother of Keshava Bhatta. The amildar's report of 21.3.30 furnishes information re: the several Baraward archaks of the institution.

The Decision of the D.C. Hassan by 21/6/30 is flagged R. The facts of the case are set forth in Muz appl no 14/30-31 on the file of the M.C's Court in which the claim of the present appellant to a joint hall of the archaleship of the temple has been negatived.

For orders whether the case may be posted for a hearing.

The M.C. in his order has clearly explained why he dismissed the appeal. He has held that Any agreement between the brothers or any mention of working by turns made in a partition deed executed by the brothers is not binding on first. The appellant has apparently no case.

3 no 21 of 31-32 re [illegible] to the archakship of Sri Chaunakonnaiya Swamin temple at Belur.

eneral and Revenue Secretariat

File No. 345 of 193

[App. F. III—2

Serial No.

Submitted for Orders re date of hearing.

For Secy)

1st Member)

7/9/32

8/9

11) 26th inst. 12 Noon. All Muz cases to be heard to be posted —

8/9

11.9.32

12/9/32

1088

2034

15) This case was heard on 26th Septr. 1932. The appellant was represented by Mr. Belur Srinivasaiengar and the respondents by Mr. C. V. Narasimhaiengar.

The view taken by the Muzrai Commissioner is quite correct and there is no reason to interfere with it. The appeal should therefore be dismissed on merits.

It is, however, admitted that there was a family karar when Kesava Bhatta, the father of the respondents, was alive, and it was to the effect that the benefit of the archakship should be shared by the three brothers, Kesava Bhatta, Muthu Bhatta (the appellant) and Ranga Bhatta. This karar appears to have been acted upon for some time. The contention of the appellant that he should be recognised as the joint

—Contn. Sheet.

WD 79—GBPM—60 000—13-8 31

Muz appl. 21-9-31

File No. 345 of 1931-3 | General and Revenue Secretariat

joint Barawardar with the first respondent, cannot be conceded and the baraward should stand in the name of one person. Subject to this condition, if Muthu Bhatta who is the uncle of the first respondent and who was allowed to perform the duties for some years, is permitted to work as the archak ~~with his nephew~~ and share in the emoluments of the office, as the result of any understanding with his nephew, there need be no objection to allow the arrangement. The first respondent stated that he would submit a further representation in regard to the adoption of such an arrangement. Its receipt may be awaited. A month's time has been allowed.

4 NOV 1932
No. 2804

Mus B Mc 27/10/32
27/9

Mus 27-9-32

MSC 27/9/32

18) The ... allowed over & no representation is received. ... for ...

4 N 21/10

Fin Secy)

1/11/32

1 82 ...)

Another month 4/11/32
May be allowed 4/11

Mus 5/11/32

5/11/32

Petition of 11.1.1933 from Muthu Bhatta ... as B.

General and Revenue Secretariat | Mez File No. | of 193 .

Serial No.

Narasimha Iyengar requesting that the order of the Mez. in Commissioner be set aside and that his claim to do Archana in the Belur temple be recognised.

The petitioner is an [illegible] in the case & himself & his Lacoyer [illegible] Belur [illegible] Iyengar [illegible] 20/1/1932.

21 After perusal, this & the other three files (see [illegible] on the [illegible]) [illegible] as directed therein

[illegible] 20/1

[illegible] 20/1/33

[illegible] 1/3/33

[illegible] 20/3/33

The appellant has not established his right to be recognised as a joint-Tanaward-dar of the Archakship of the Sri Chennakesavaswamy temple at Belur. A ~~[illegible]~~ rotational arrangement for the performance of the duties of Archak of a temple is inconvenient and inadmissible and can not be allowed except where it is a long established custom and has therefore to be permitted to continue. The view taken by the Mez Commr is quite correct and there are no reasons to interfere with the orders passed by him. The appeal is dismissed — [illegible] 18/3/33

NOTE—Contn. Sheet.

Mey appn 21 of 21-32

File No. 345 of 1933

Rev
Secretariat

Dfn Lebed

G.S. 26/3

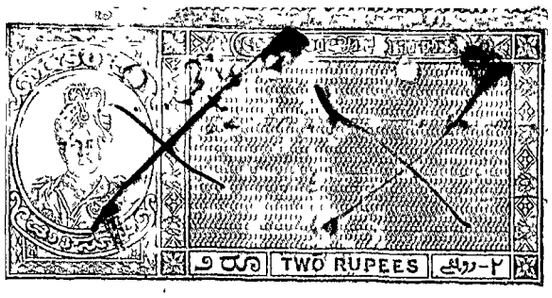
21/3

Memo no 1380 dy 23-3-33 to the Mazrai Commissioner forwarding Copy of the decision in the appeal case –

No. 1381 dy 23-3-33 to Mr Balur Srinivasa Iyengar advocate for the appellant forwarding Copy of the judgment given.

No. 1382 dy 23/3/33 to Mr C. V. Narasimha Iyengar Advocate for the respondents forwarding Copy of the decision –

B
29/3



TWO RUPEES

GENL. & REV. SECT. 1358 18. MAY 1932 MUZRAI.

Muz 345-31-1

BEFORE THE GOVERNMENT OF H.H. THE MAHARAJA OF MYSORE

B A N G A L O R E.

Muzroi Appeal Number 21 of 31-32.

Muthubhatta, son of Lakshmikanthabhatta, Residing in Belur, Hassan District. ... APPELLANT.

VERSUS.

Kesavabhatta, since deceased by Legal Representatives: 1) Lakshmikanthabhatta, 2) Srinivasa Bhatta, 3) Kesavabhatta, 4) Krishna Murthy. 3 and 4 minors by first respondent. ... RESPONDENTS.

-----oOo-----

The appellant abovenamed begs to appeal against the decision of the Muzroi Commissioner in Muzroi appeal No.14 of 1930-31 on his file for the following reasons among others:-

1. The learned Muzroi Commissioner erred in construing the order of Mr.Wetherall in 1906 on the joint application of the appellant and his deceased brother - the father of respondent.

2. The question of recognition of joint

joint Hakh was not in issue ~~xxxxx~~ then at all. (Vide the prayer portion of the said petition).

3. The Muzroi Commissioner while - observing " that the order of Mr.Wetherall may not have been full effect to, erred in observing that the custom in the family ~~was~~ to do - puja by turns was not proved - the very terms of the petition before Mr.Wetherall and the - admitted performance of puja by the appellant from 1924 to 1928 and his drawing his emoluments from the Treasury in his own right clearly - establish the said custom.

4. The learned Muzroi Commissioner erred in omitting to consider the authenticated copies of orders of January 1859 & 27/8/1844 pertaining to the custom of worship by turns in the family of the appellant - filed before him with a memo, on 26/28-3-1932.

5. The learned Muzroi Commissioner erred in not considering the effect of the partition - deed which was actually acted upon by the respondents and in pursuance of which theappellant in - his own right performed the duties of the Archak of the temple.

6. The reasons given for not recognising the claim of the appellant in view of the custom in the case of this ancient temple is not convincing.

7. The learned Muzroi Commissioner erred

erred in not considering the several decisions of Government regarding the joint Hakh to - worship quoted by theappellant before him and - the applicability of which was conceded by the Respondents' advocate before the Deputy Commissioner.

8. The Order of the Muzroi Commissioner is otherwise against Law, Custom, Equity, and evidence in the case.

WHEREFORE the appellant most respectfully prays that the order of the Muzroi - Commissioner be set aside and the appellant's - claim to do the puja as per agreement of 1922 be recognised orders be passed accordingly.

BANGALORE
16/5/32

APPELLANT

~~ADVOCATE FOR~~ APPELLANT.

ONE RUPEE

ONE RUPEE

Before
~~In the~~ Court of the Govt. of Mysore
Bangalore

Miz. appeal No. of 1931 –1932.

Appellant Plaintiff		Respondent Defendent
Muthu Bhatta	Vs.	Lakshmi Ramtha Bhatta & others

I. I, the appellant above named do, by these presents, retain

Messrs. BELUR SRINIVASIENGAR, B.A., B.L.
~~and N. RAMA IYENGAR, B.A., L.L.B.,~~ Advocates

to appear and conduct the above case on ..... my ..... behalf to judgment

2. ..... I ..... further empower them to do all necessary acts in the above case, to execute any decree or order that may be passed in ..... my ..... behalf and to receive from the Court all documents, refunds and all sums of money that ..... I ..... may be entitled to get and grant receipts therefor

3. ..... I ..... also undertake to confirm and ratify all the acts done by the said Advocates or by any other Advocate on their behalf in so doing.

16 ಮೇ 1932,
BANGALORE.

[illegible]

Personally known to us and signed in our presence.—ACCEPTED.

[signature]

[signature]

Advocates.

Advocates for Appellant

Indian Press, B. City.

In the Court of the Muzrai Commissioner in Mysore, Bangalore

Muzrai Appeal No. 14 of 30-31

Appellant Narasimhiengar alias Muthubhatta son of Lakshmikantabhatta

vs

Respondent Keshavabhatta (since deceased his sons (1) Lakshmikanta Bhatta (2) Srinivasa Bhatta made parties

Appeal against the order of the Deputy Commissioner Hassan District rejecting the claim of the appellant to a joint 'Hak' in the Archakship of the Sri Chennakeshavaswamy temple at Belur.

Facts of the case

The Archakship Baraward of the Belur temple stood in the names of respondent's father Lakshmikanta bhatta and Keshava Bhatta son of Sampathkumara bhatta. These two barawardars were performing the puja of the main temple and the sukhalugudis by rotation every year. On the death of Lakshmikanta Bhatta in 1896, his share of Baraward was transferred to his eldest son Keshava bhatta (Respondent). This Kesavabhatta has two younger brothers viz Muthubhatta (appellant) and Rangabhatta. The three brothers appear to have been getting on well till 1922. During his absence now and then

respondent used to
brother Muthubhatta as Gumasta
and get the puja work done. At the
time of partition in 1923, the brothers
are stated to have come to an agree
ment that each should be in charge
of the Archakship by rotation for two
years. Accordingly the eldest brother
was in charge of the office from
1922 to 1924 and the appellant looked
after the duties from 1924-28 (including
the last brother's term as he was not
qualified for puja).

The term of Keshava Bhatta
(son of Sampatkumara Bhatta) of the
archakship of the main temple having
expired on 8-3-30 the charge had to
go to Lakshmikanta bhatta's family. A
little before this i.e. on 26-10-1929 the
appellant put in an application to
the Amildar regarding his hak but
was for some time looking after the
duties as Gumastha on his (respon-
dent's) report, that he is the sole
'Hakdar' in his family and that
the alleged agreement between the
brothers was not registered and
never given effect to. As against this
the appellant contended that he
received the pay on his brother's re-
port, only on a single occasion du
to some objection by the Treasury
officer and has all along subse-
quently received the pay himself
and allowed his eldest brother to
wear 'Kankana' during car festival

in the archakship. In the enquiry held by the Amildar on 20-1-30 the respondent stated that the appellant never performed the puja in his given hak. SK

responsibility that even the pay of the appellant for that period was given to him on his (respondent's) SK

during his term of office out of respect and not by reason of any right vested in him. The Amildar relying on the alleged agreement between brothers on the strength of which the respondent had obtained a decree on a previous occasion in connection with some debt, recommended that the three brothers had equal right to the 'Puja' Hak and should take it for two years at a time. The Sub Division Officer passed orders on 7-3-30 approving the Amildar's recommendation and ordered that the charge of the Archakship of the temple may be given to the appellant. Against this order an appeal was preferred to the Deputy Commissioner by the respondent praying for the reversal of the Sub Division Officer's order on the ground that the Sub Division Officer relied on an ~~unauthenti~~ unauthorised partition of an impartible estate which was void except with the sanction of Government and also that his younger brothers were not well fitted to discharge the onerous duties of the office

The Deputy Commissioner in his order dated 21-6-1930 referring to a previous order of 1906 of Mr. Wetherall, in which that officer had refused to recognise the right of the appellant to any joint 'Hak' to the office cancelled the order of the

Sub-Division officer on the that the matter had been already adjudicated upon by his predecessor, that it was competent to the parties to go in appeal to this office if they were in earnest. that their silence for such a long time implied acquiescence that though it was possible to have more than one person to an Archak's office it was not competent to the parties to dispose of the rights to the office according to their own whim and fancy without the sanction of proper authority and that, in this case Mr. Wetherall had expressly refused to recognise such an agreement and that accordingly he could not concede the claim of the appellant to any joint Archak to the office. Hence the present appeal.

Heard the Counsel on both sides on 8-4-32.

Order No. Appl 14/30-31 D/ 20-4-32 / 4-5-1932

Mr. B. Srinivasa Iyengar contended that it is the custom in this temple for all the members of the family to do puja by turns; but this is not certainly proved and cannot be maintained in the face of the order passed by Mr. Wetherall in 1906 negativing the very claim now put forward. This order may not have been given full effect to but that does not alter the fact that the varamaand was made in the respondents' name and that there is an order which has not

been set aside that the appellant should not be allowed to do puja as of right, then as regards the agreement of 1923, it is certainly not binding on the Government and cannot create any new right Government have no doubt recognised puja by rotation in special cases where parties had been in enjoyment of the office and wanted such enjoyment to be recognised In fact, in this very temple the baraward is held by two different families This ~~is~~ however different from a claim put forward by the younger brothers of one of the barawardar to a right to do puja by turns This cannot be allowed both on legal and on administrative ground. The appeal is dismissed. Since the appeal was filed, the respondent died and a fresh baraward has to be made. The Deputy Commissioner will take steps to fill the baraward in accordance with the law

Sd/ S.P. Rajagopalachari
Muzzai Commissioner.

Copy applied for by Mr. Belur Srinivasa Iyengar
Copy ready on 5-5-32
Copy delivered on 12-5-32
No. of words 936
Copying fees 1-4-0
Comparing 0-3-4
Paper 0-0-4
Total 1-7-8
Copied by S. Jayaramarao
Compared by H Hanumanthiah

16

App. F. G. 9]

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

GEN. & REV. SECRETARIAT.

Muz 345-31-2

OFFICIAL MEMORANDUM.

By 21 [illegible] No. 1918/[illegible]/[illegible]

The accompanying Muzaffar Petition No 21 of 31-32 Registered

No. 1358 dated 16.5.32

received at the General and Revenue

Secretariat from Mr. Belur Srinivasa Iyengar Advocate Bangalore ~~filed~~ on behalf of his client Muthubhatta alias Narasimha Iyengar Belur, Hassan Dt appealing against the orders of the M.C in Muzaffar Appl 16 of 30-31 on the file of his court regarding his claim to a joint hall in the Archakship of Sri Channakeshava Swamy

is forwarded, ~~together with its enclosures~~ to the M.C. for submission of ~~the~~ records connected with the case —

By Order,

[illegible] 6/32

for Secretary. [illegible]

BANGALORE,

17/6/1932

[P. T. O

WD 0562—GPB—2,250—2-8-27

ಅರ್ಜಿದಾರ್.....ತಾಲ್ಲೂಕು

.....ಹೋಬಳಿ

.....ಗ್ರಾಮದಲ್ಲಿರುವ

.....ಗೆ

ಇಂಡಾರ್ಸ್ಮೆಂಟ್ ಹುಕುಂ.

.....

.....

.....

.....

.....

.....

.....

ವಿಷಯದಲ್ಲಿ ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ.....

ಮರ್ಕುಮಿನ ಅರ್ಜಿಯನ್ನು.....ಬಗ್ಗೆ

.....

.....ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದ

ಬೆಂಗಳೂರು

By Order.

Secretary.

No. 1000 Wels S files
31·32

OFFICE OF E MUZRAI COMMISSIONER
IN MYSORE.

17

Bangalore, ... 19 ..... *193*

FROM

S. P. RAJAGOPALACHARI, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

Mus 345-31-3

229
22.8.32

To

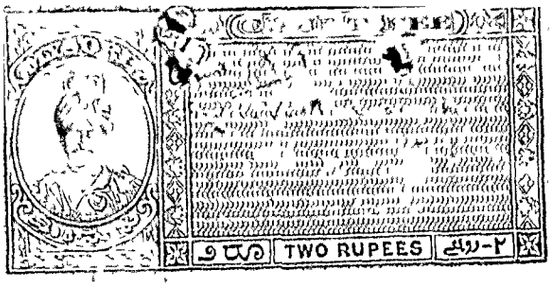
Secretary to Government of His Highness
the Maharaja of Mysore,

..... *Department.*

SIR,

19/8

Sd/- Rajagopal



TWO RUPEES

In the Court of the First Commissioner to Govern. & Regs.

BANGALORE.

Mugrai Appe No. 21 of 1932

Appellants		Respondents
Narasimhaiengar	Vs.	Lakshmi Kantha (8 ab. & 3 other minors by guardian Lazar

I/we the Respondents above-named, do hereby appoint and retain MESSRS. C. V. NARASIMHAIENGAR, B.A., B.L., S. K. VENKATARANGAIENGAR, B.A., LL.B., B. T. RAMASWAMI, B.A. B.T., LL.B., and S. LAKSHMINARASU, B.A., B.L., Advocates, to appear for me/us in the above suit, proceeding, petition or appeal, and to conduct, and prosecute or defend the same and all proceedings that may be taken in respect of any application for execution of any decree or order passed therein. I/we empower my/our Advocates to appear in all miscellaneous proceedings in the suit or matter till all decrees or orders are fully satisfied or adjusted, to obtain the return of documents, draw any moneys that may be payable to me/us in the said suit or matter, withdraw, compromise or refer to arbitration the suit, and take all other steps that they may deem proper in the matter. And I/we undertake to ratify and confirm all legal acts done or caused to be done, and to pay all fees, costs, charges and expenses which may be incurred by my/our said Advocates in the case by virtue of these presents.

In witness whereof I/we have hereunder set my/our hand this 26 day 12 Sept 1932

Accepted.

[signature]

Advocates for [signature]

[signature]

Signed by the Executant in my presence.

Vest & Co., The National Press, Bangalore.

ENL. & REV. SECRETARIAT
783.
18 JAN 1933
F
17

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai Case No. 21 of 31-32. 17/1/33

Appellant: Muthu Bhatta alias L. Narasimhiengar son of Lakshmikantha Bhatta, Archak, Belur.

Respondent: Keshavabhatta (deceased) by his sons
1. Laksimikanthabhatta.
2. Srinivasabhatta
3. Keshavamurthy
4. Krishnamurthy.

Petition

Points for hearing Petitioner

I. USUAGE.

1. Muzrai Commissioner mentions in his order that the custom of worship by turns in the family of Archaks of the Belur temple is not proved. But this is [redacted] proved,

(a) by the report of the Amildar to the Sub Division Officer (to be found in the records).

(b) vide copies of orders of January 1859 and 27-8-1844, pertaining to the custom of worship by turns in the family of Archaks of Belur temple.

(c) vide Nirupa of January 1863, transferring the hak of his cousin to Laksimikanthabhatta. This evidently shows the custom of worship by rotation amongst members of the same family.

(d) Vide petitions of the deceased Keshavabhatta (respondent's father). These petitions show the admittance of custom by rotation by four Archaks.

(e) vide Mysore Gazetteer by Rice, Page 642.

II. REGARDING MR WETHERALL'S ORDER.

1. The order of the Deputy Commissioner of 1906 regarding the discharge of duties of Archakship during the period of leave, does not decide the right to worship as between the brothers of a hakdar family. That order is purely administrative and does not affect the rights of either party to this dispute. It only says that when the Archak on duty goes on leave, the other Archak should be allowed to worship in preference to brothers of the Archak who goes on leave and as such this order has absolutely no binding effect on the present dispute relating to the rights of worship of the parties which they claim to be entitled to do in their own right.

2. Moreover the agreement which is admitted by Keshava Bhatta deceased father of respondent) w s not in existence in 1906 as the arties were living jointly. Hence the question of Lakh did not at ll arise. The brothers have subsequently agreed by contract in riting to do worship by turns and there is nothing contrary to Law, suage, or public policy which renders the agreement unenforcible.

3. The Law of Premogeniture is inapplicable to the present case s the provisions of the Village Officer's regulation does not apply o the Archaks in temples, the maintenance, management etc., of which s specially governed by the Mysore Muzrai Regulation.

4. As aforesaid it was needless to get the order set aside by he appellant.

5. Even this order of Mr. Wetherall is an endorsement on the pet: petition presented by Keshavabhatta (deceased respondent) and appellant.

6. Lastly this order was not given effect to.

III. AGREEMENT.

1. Though this is not binding on the part of Government it is to be recognised as in several cases of similar nature

(A) Vide appeal No. 1 of 1916-17.
(B) Vide G.O.No.2459 Muz.7927-4 dated 25-6-1928.

2. This agreement was given effect to since it worked from 1923- to 1930.

3. In a Muzrai case in which the members of the present appellants family were a party regarding the archakship of Anjaneyaswamy temple Shimoga it was recognised that all the three brothers have ha viz., (1) Keshavabhatta (2) Narasimhabhatta (3) Rangabhatta vide exhibit G.O.No.3559 Muz. 47-1898.

4. Even before the agreement Keshavabhatta (deceased father of respondent) has recognised the appellant joint hak in several of his petitions.

(a) Vide petition to the Deputy Commissioner Hassan dated 17-11-
(b) Petition dated 22-9-1902 to the Muzrai Officer Belur Taluk.
(c) Petition dated 16-10-1903 to the Muzrai Officer Belur Taluk.

21

IV. RECOGNITION.

1. The very fact that the appellant and his brothers acted in accordance with the agreement in their respective turns and the local officers not raising any objection whatsoever show that the arrangement was duly recognised by the authority.

If it is now objected that there was no ratification of agreement formally, this no doubt a technical flaw may kindly be overlooked and defects cured.

2. Even Keshavabhatta (deceased father of respondent) attempted to revoke the agreement 7 years after it came into existence on accour of illfeeling due to monetary transactions.

3. Mr. Nanasami Rao who was then the Deputy Commissioner of Hassan after full enquiry in connection with some concession to be conceded to the appellant as archak has recognised him (appellant) as an archak of the temple. This is after the agreement.

4. The appellant had during his term of office sole responsibility of very valuable jewels of the temple, and at the same time was drawing emoluments without any objections.

V. QUALIFICATION ETC.

1. The appellant having been Archak for over a quarter of a century has gained experience in Agamas, Shastras and has given full satisfaction to the authorities, devotees, and visitors.

2. Recently it is learnt that the temple Dharmadarsis have opined in their resolution in response to the query regarding the baraward that the respondent is not at all qualified and the appellant is the only member in the family who is properly qualified for the office of the Archak and accordingly the baraward may kindly be made in the name of the appellant.

VI. ADMINISTRATION AND POLICY.

1. The Government have in their orders in the cases of similar nature recognised joint hak amongst members of the same family in places like, Belur, Melkote, Seringaptam etc.,

vide (a) G.O.No.181-16-4 dated 11-3-1917.
(b) Appeal No. 1 of 1916-17.
(c) G.O.No.2409 Muz. 245 7927-4 dated

(d) G.O.No.5559-Muz. 47-1898.

2. In all instances where Government have recogni ed joint hak of brothers or cousins and allowed to perform puja accordingly in no way the administration is effected.

3. In this connection it may be brought to your Honourable notice that the Baraward in the name of Keshavabhatta (deceased father of respondent) it was only probationary for an year. This is made evident by order of the Deputy Commissioner Hassan District in No. 294/52 dated 29-10-1896. Even to the moment of his death the Baraward was not confirmed

~~4. There is now law depriving the right of worship amongst brothers provided they are otherwise qualified and capable.~~

4. Even the Government have brought it ad- [illegible]

5. ~~[illegible]~~ [illegible] capable.

6. Therefore [illegible]

11-1-1903 [illegible signature]

23

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Muzrai Appeal No. 21 of 1931-32.

Appellant.		Respondents.
Muthu Bhatta alias Narasimha Iyengar of Belur.	Vs.	Keshava Bhatta. since deceased by legal representatives. 1. Lakshmikantha Bhatta. 2. Srinivasa Bhatta. 3. Keshava Bhatta 4. Krishnamurthy 3 and 4 minors by the first respondent.

Subject.

Appeal against the decision of the Muzrai Commissioner in Muz. Appl. No. 14 of 30-31 on the file of his court rejecting the claim of the appellant to a joint-hak in the archakship of Sri Channakeshavaswami Temple at Belur.

The case was heard on 26th September 1932. The appellant was present with his Advocate Mr. Belur Srinivasa Iyengar and the respondents were represented by Mr. C.V. Narasimhaiyengar.

Order.

The appellant has not established his right to be recognised as a joint hereditary of the archakship of the Sri Channakeshavaswami temple at Belur. A rotational arrangement for the performance of the duties of archakship of a temple is inconvenient and inadmissible and cannot be allowed except where it is a long established custom and has therefore to be permitted to continue. The view taken by the Muzrai Commissioner is quite correct and there are no reasons to interfere with the orders passed by him. The appeal is therefore dismissed.

Memo No. 1380/Muz 345-31-4 Encl 3 files & 23-3-33.

Copy of the above is forwarded with compliments to the Muzrai Commissioner in Mysore, returning records received with his letter No. 1606/31-32, dated 19th August 1932.

By Order,

Financial Secretary to Govt.

p.t.o.

24

Memo No. 1381 & 23-3-33

Copy to Mr. Belur Srinivasa Iyengar, Advocate, for the appellant.

By Order,

Financial Secretary to Government.

Memo No. 1382 / & 23-3-33.

Copy to Mr. C.V. Narasimhiengar, Advocate, for the respondents.

By Order,

Financial Secretary to Government.

(G)

Before the Government of His Highness the Maharaja of Mysore.

95

Muz Appeal No. 21 of 1931-32.

Appellant. Vs. Respondents

Muthubhatta alias Narasimhiengar of Belur

Kesava bhatta since deceased by legal representatives
1) Lakshmikantha Bhatta
2) Srinivasa Bhatta
3) Kesava Bhatta
4) Krishna Mochy
3 & 4 minors by the first respondent

Subject.

Appeal against the decision of the M.C. in Muz Appl no 14 of 30-31 on the file of his Court rejecting ~~[illegible]~~ ~~matter of~~ the claim of the appellant to a joint talk in the archaeship of Sri Channakeshava Swamie temple at Belur.

This case was heard on 26.9.1932. The appellant was present ~~[illegible]~~ with his advocate ~~represented by~~ Mr Belur Srinivasaiengar & the respondents were represented by Mr. C. V. Narasimhiengar.

order —

The appellant has not established

Archakship of the Sri Channakeshava's at Belur - A rotational arrangement the performance of the duties of Archakship a temple is inconvenient and inadmissible & can not be allowed except where it is a long established custom & has therefore to be permitted to continue - The view taken by the M.C. is quite correct & there are no reasons to interfere with the orders passed by him - The appeal is therefore dismissed.

1380/ mus 345-31-4 Encl 3 files 23-3-33
Copy to M.C. returning records received with his letter No. 1606/31-32 dy 19-8-32.

B-O
21/3
For H Sec

1381 d 23-3-33
Copy to Mr Belur Srinivasa Iyer advocate for the appellant.

B-O
21/3
For H Sec

1382 d 23-3-33
Copy to Mr C.O. Nar as an Inferior Advocate for the respondents.

B-O
21/3

26 pages